



**Ninety-Ninth Legislature - First Session - 2005**  
**Introducer's Statement of Intent**  
**LB 222**

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**Chairperson:** Bob Kremer  
**Committee:** Agriculture  
**Date of Hearing:** January 18, 2005

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 222 (as amended) seeks to remove the requirement of fingerprinting criminal history checks for applicants seeking a grain warehouse or grain dealer's license under the Nebraska Grain Warehouse Act or Nebraska Grain Dealer Act.

Prior to LB 735 (2003) there was no requirement for a criminal history check for grain warehouse and grain dealer license applicants. As a result of LB 735 grain warehouse and dealer owners and/or managers were required to be fingerprinted in order for the Federal Bureau of Investigation to conduct a criminal history check. In many instances these same persons conduct businesses including convenience store operations where they were also required to be fingerprinted for the purpose of obtaining license from the Nebraska Liquor Control Commission.

Other state agencies that require criminal history checks for licensing purposes have the statutory authority to waive the fingerprinting and criminal history check requirement if the applicant is licensed by the Nebraska Liquor Control Commission. Neb.Rev.Stat. § 9-1,104 specifically grants this authority to the Department of Revenue when licensing gaming and lottery operators. In granting such licenses the Department of Revenue would have the same interest in financial crimes as would the Public Service Commission in review applications for grain warehouse or grain dealer licenses.

The current provisions of the law requiring grain warehouses and grain dealer applicants to submit dual fingerprinting and criminal history checks should be provided the same waiver provisions under the same circumstances.

**Principal Introducer:** \_\_\_\_\_  
**Senator Deb Fischer**